within a fixed period, to issue warrants of arrest, if possible, on the date of applica or the next day, to entrust only as many warrants to a single process-server would be possible for him to serve properly, and to set apart one day in a week disposing of execution cases.

Dewan's reply.—Noted.

48. Grievances of the litigant public and suggestions for redressing them.

Mr. V. Narayanan Unnithan (Member, T. I. C., Haripad) comp about the hardships caused to the litigants by the new Court Fees Regulation process fee rules and the rules of practice and suggested the following modificatio

(1) When copies of chittas, measurement-plans and other revenue rec were applied for in the taluk office, the applicants had to produce half a rupee ge stamp paper and when the copy prepared on that paper was filed in courts, courts insisted on affixing a half rupee court fee stamp to such a copy. W the application was for copies of plans relating to more than one property, sepa copies were prepared in respect of each property and when those copies were file courts, each of the copies was taxed with half a rupee again. The recovery of t stamp duty in both the courts was a great hardship to the people and should be continued.

(2) Another source of hardship was the levy of court fee in respe copies of judgments and decrees when produced in courts. That should also removed. Although there was no provision in the Civil Procedure Code for production of decrees when applying for execution, the courts insisted on on the strength of Civil Circular No. 54 of 1079. If the case was tra ferred to another court for execution, a separate decree had to be produ before the latter court also. He requested that the circular might be cancelled copies of such decrees exempted from payment of court fee.

(3) Applications for return of documents presented by witnesses were exemp from payment of court fee while the applications from parties were taxe Parties were also required to produce half a rupee stamp to be affixed to the copies documents the return of which was sought for. Those provi[illegible] be cancelle as they entailed needless expe[illegible]

(4) Owing to want of provision in the scale of process fees for Munsiffs' Cour in cases where the amount exceeded Rs. 1,000, the amount fixed for the Distr Courts was realised in the Munsiffs' Courts also. The maximum in the casaid Munsiffs' Courts should be fixed at 14 fs. and the same amount should be declar to be the maximum fee in cases of decrees transferred from the District to the Mu siffs' Courts for execution.

(5) The present practice of levying $3\frac{1}{2}$ fs. for a single process and one fan for every other process to be served in the same place was unnecessary as it did n involve more than one process-server's work. Payment of a single process fee of $3\frac{1}{2}$ should be declared sufficient in such cases.

(6) Similarly, payment of *ad valorem* process fees in the case of attachment under Section 265 of the Civil Procedure Code and of one rupee in the case of injun tion, etc., might be altered into $3\frac{1}{2}$ fs.

(7) The practice of realising process fee for attachment of decrees in t same courts should be stopped, as it involved no process work.

(8) In the case of warrant of delivery of possession when no attachment to place, the same fee for attachment was being realised, while in the case of delivery possession of property sold in auction, a sum of $2\frac{1}{2}$ fs. in the case of small cause and $5\frac{1}{2}$ fs. in civil cases was realised. The same rates of $2\frac{1}{2}$ fs. and $5\frac{1}{2}$ fs. should adopted in both the cases.

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(9) When auction sales were adjourned from day to day, a process fee of 2½ fs. was realised for each day, but when it was adjourned to a different date altogether, a sum of 14 fs. was realised. It should be changed to 2½ fs.

(10) There was no uniformity in the practice of realising tom-tom charges. A fixed rate of 2 chs. might be adopted.

(11) The practice of sending the decrees of one Munsiff's Court to another through the District Court entailed unnecessary delay. One Munsiff's Court should be permitted to send the decrees direct to another.

(12) In the matter of extending the period fixed for warrant of arrest, a party was required to pay 7 chs. per day, whether it was in a civil suit or a small cause suit. The amount realised in the first instance for the issue of the warrant was only 5 fs. and 2½ fs., respectively, in civil and small cause suits. At that rate the amount to be fixed for a single day would be 5 chs. and 2½ chs., respectively. The present rate of 7 chs. was a hardship to the parties and should be reduced.

(13) The existing practice of limiting the period of mohusul to 15 days was a source of difficulty. The time should be extended whenever the opposite party agreed to such extension.

(14) The production of encumbrance certificates did no useful purpose either to the auction purchaser or to the party. The system might well be done away with.

(15) Applications for divorce under the Nair Regulation were being filed in the Munsiffs' Courts, while, [illegible] the Suits Valuation Regulation and Civil Circular No. 3 of 1085, suits for divorce, etc., [illegible] ascertained in the District Courts alone. Similarly, while a suit was filed in the Munsiff's Court [illegible] aside a document executed by a Karnavan and finding recorded, a different finding might be come to in a District Court where also a suit might be brought for [illegible] the same Karnavan. The sum of B. Rs 2,000 mentioned in the circular referred to should therefore be altered into Sirkar Rupees 2,000 so as to give the Munsiff's Court jurisdiction in respect of both classes of cases.

Dewan's reply.—All the suggestions made by the Member will be referred to the High Court for their opinion.

49. Mode of execution of decrees of foreign courts.

Mr. Ousep Thommi (Member, Trading Classes, Changanachery) said that decrees of Travancore courts could be executed in the Cochin and British Indian courts only under certain conditions. In cases, for instance, where the decisions were *ex-parte* and not on the merits, the decree-holders had to institute fresh suits in those courts. But no such restrictions were imposed in the case of foreign decrees brought to Travancore courts for execution. Prior to the passing of Regulation IV of 1061, suits had to be instituted and the judgment-debtors had an opportunity of contesting such suits. With the passing of the Regulation, the judgment-debtors' right of contesting practically came to an end and they were put to unnecessary trouble and expense in seeking to set aside the *ex-parte* decisions in the foreign courts. The decisions of the High Court were also against raising such contentions in the execution of foreign decrees in the Travancore courts. The wording of Regulation IV of 1061 and of the corresponding enactments in Cochin and British India were the same, but the hardship arose out of the interpretation of the provisions by the Travancore courts. The Member therefore requested that the same procedure should be followed here, and if any amendment of the Regulation was considered necessary, it should be made.

Dewan's reply.—The representations of the Member will be referred to the High Court for remarks.

50. Desirability of investing all District Munsiffs with power to grant succession certificates under Regulation IX of 1090.

Mr. K. Sankara Pillai (Member, T. I. C., Alleppey) said that the subject of litigation in the State was, in more than 90 per cent of cases, valued at less

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